

Message Text

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PAGE 01 TAIPEI 00929 100915Z

15

ACTION DHA-02

INFO OCT-01 EA-07 ISO-00 L-03 H-02 ORM-02 /017 W

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R 100850Z FEB 76

FM AMEMBASSY TAIPEI

TO SECSTATE WASHDC 8485

INFO AMEMBASSY KUALA LUMPUR

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E.O. 11652: N/A

TAGS: SHUM, TW, MY

SUBJECT: CONGRESSIONAL INQUIRY CONCERNING CHEN CHIN-SHENG

REF: KUALA LUMPUR 124; TAIPEI 82; STATE 2025

1. IN RESPONSE TO THE EMBASSY'S JANUARY 7 INQUIRY, MOFA INFORMED POLCOUNS ON FEBRUARY 10 THAT CHEN CHIN-SHENG (7115/2952/3932) IS AN OVERSEAS CHINESE FROM MALAYSIA WHO JOINED THE COMMUNIST PARTY WHILE IN MALAYSIA AND WHO IN 1967 WAS SENT BY THE COMMUNIST PARTY TO TAIWAN OSTENSIBLY AS A STUDENT BUT ACTUALLY TO PURSUE THE WORK OF THE COMMUNIST PARTY.

2. ACCORDING TO MOFA, CHEN WAS ARRESTED ON MARCH 3, 1971 FOR ENGAGING IN SUBVERSIVE ACTIVITIES. SUBSEQUENTLY, HIS CASE WAS CONSIDERED IN A "PUBLIC TRIAL" FOR WHICH CHEN WAS ASSIGNED A PUBLIC DEFENDER. (FYI: PUBLIC TRIAL MEANS THAT THE TRIAL WAS NOT SECRET OR CLOSED, BUT ATTENDANCE COULD HAVE BEEN RESTRICTED.) HE WAS CONVICTED ON JANUARY 19, 1972 FOR "COMMITTING ACTS TO OVERTHROW THE GOVERNMENT BY ILLEGAL MEANS" UNDER PARAGRAPH I OF ARTICLE II OF THE STATUTE FOR THE PUNISHMENT OF SEDITION.

3. CHEN WAS SENTENCED ON JANUARY 19, 1972 TO 12 YEARS IMPRISONMENT AND FIVE YEARS DEPRIVATION OF CIVIL RIGHTS, RUNNING CONCURRENTLY. ACCORDING TO MOFA, CHEN, AS A MEMBER OF THE COMMUNIST PARTY AND CONVICTED UNDER LEGAL
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PAGE 02 TAIPEI 00929 100915Z

PROVISIONS CONCERNING SEDITION, WAS NOT ELIGIBLE FOR

COMMUTATION UNDER THE 1975 COMMUTATION ACT.

4. COMMENT: EMBASSY HAS NO OBJECTION TO DEPARTMENT'S
PASSING ALL OF THE ABOVE INFORMATION TO CONGRESSMAN GUDE.

5. FYI: WHILE MOFA DID NOT PROVIDE ANY INFORMATION CONCERNING CHEN'S PRESENT STATE OF HEALTH, THE EMBASSY NONETHELESS FINDS MOFA'S RESPONSE UNUSUALLY FORTHCOMING BASED ON PREVIOUS REQUESTS OF A SIMILAR NATURE. THIS MAY REFLECT A GROWING AWARENESS ON THE GROC'S PART OF THE INCREASING IMPORTANCE PLACED BY THE USG AND CONGRESS ON ISSUES OF HUMAN RIGHTS. POPPLE

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